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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:		Docket No.:	4164-101 CON
Applicant:	RICHTER, Virginia Pact, et al.	Examiner:	SPIVACK, Phyllis G.
Application No.:	09/940,309	Art Group:	1614
Date Filed:	August 27, 2001	Confirm. No.:	5504
Title:	TREATMENT OF MOVEMENT DISORDERS BY ADMINISTRATION OF 5- HYDROXYTRYPTAMINE RECEPTOR/α_2 ADRENERGIC RECEPTOR ANTAGONIST COMPOSITIONS	Customer No.:	23448

FACSIMILE TRANSMISSION CERTIFICATE

I hereby certify that I am filing this document in the United States Patent and Trademark Office on December 3, 2004, addressed to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, and transmitted to USPTO Central Facsimile Number (703) 872-9306 on such date.

Steven J. Haltquist

PAGES TRANSMITTED: 13

**AMENDMENT RESPONDING TO NOVEMBER 29, 2004 OFFICE COMMUNICATION
IN UNITED STATES PATENT APPLICATION NO. 09/940,309**

**Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**

Sir:

This responds to the November 29, 2004 Office Communication in the above-identified application, wherein the Amendment filed November 18, 2004 was held to be non-compliant as failing to "list 1-45 as of 8/2/04."

THIS ACTION FAILS TO REFLECT THE EXPRESS INSTRUCTION IN THE NOVEMBER 18, 2004 TO REVERSE ALL AMENDMENTS MADE IN THE AUGUST 2, 2004 RESPONSE FILED IN THE APPLICATION.

BY FAILING TO EFFECTUATE THE EXPRESS INSTRUCTIONS CONCERNING THE CLAIMS IN THE NOVEMBER 18, 2004 RESPONSE, THE OFFICE HAS UNNECESSARILY ISSUED AN ACTION REQUIRING THIS FORMAL RESPONSE.

To avoid further unnecessary delay in the examiner's consideration of this application on the merits, claims 1-45, as amended, are set forth in the following Section I ("Amendment of the Claims") hereof.

Remarks addressing the substance of the March 2, 2004 Office Action and the October 18, 2004 Office Communication are set out in Section II ("Remarks") hereof.